

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

SARAH,

Plaintiff,

v.

Google LLC, YouTube LLC, James JACKSON, also known online as “ONISION,” and LUCAS JACKSON, formerly known online as “LAINEYBOT,” “LAINEY” and “KAI,”

Defendants.

CASE No: 1:23-cv-00223-HYJ-SJB

**UNOPPOSED MOTION FOR JUDICIAL NOTICE OF TRANSFER ORDER
AND SUPPORTING MEMORANDUM OF LAW**

Pursuant to Rule 201 of the Federal Rules of Evidence, Defendants Google LLC and YouTube, LLC (“Google”) hereby move that the Court take judicial notice of the document listed below, which is submitted as Exhibit 1 to the attached Declaration of Christopher Trebilcock (Exhibit A):

1. Order Transferring Case to Northern District of California, *Alonso v. Google LLC et al.*, Case No. 5:23-cv-00091-JA-PRL (M.D. Fla.), ECF No. 66 (September 28, 2023) (“Transfer Order”)

Plaintiff Sarah does not oppose this motion.

On September 28, 2023, the Honorable John Altoon II of the United States District Court for the Middle District of Florida issued an order granting Defendant Google’s Motion to Transfer the case, *Alonso v. Google LLC et al.*, Case No. 5:23-cv-00091-JA-PRL (M.D. Fla.), to the Northern District of California pursuant to the forum-selection provision in YouTube’s Terms of Service. *See* Transfer Order at 8-9. Google respectfully requests that this Court take judicial notice of the Transfer Order as it relates to Google’s pending motion to transfer this case to the Northern District of California (ECF No. 42).

Courts may take judicial notice of “fact[s] . . . not subject to reasonable dispute” including those “capable of accurate and ready determination by resort to sources whose accuracy cannot be reasonably questioned.” Fed. R. Evid. 201(b). “Public records and government documents are generally considered ‘not to be subject to reasonable dispute.’” *U.S. ex rel. Dingle v. BioPort Corp.*, 270 F.Supp.2d 968, 972 (W.D. Mich. June 18, 2023) (taking judicial notice of government documents); *Davis v. Professional Representatives Organization*, 2016 WL 1046868 at *2 (E.D. Mich. March 16, 2016) (same). Moreover, “any federal court may take judicial notice of the proceedings in other courts of record.” *Plassman v. City of Wauseon*, 1996 WL 254662 at *2 (6th Cir. May 14, 1996); *see also Samulak v. Carrington Mortgage Servs., LLC*, 2017 WL 2951924 at *1 (E.D. Mich. April 26, 2017) (taking judicial notice of a court order).

Google respectfully requests that the Court take judicial notice of the Transfer Order and enter the Order submitted as Exhibit B to this Motion.

Respectfully Submitted,

Clark Hill PLC

By: /s/ Christopher M. Trebilcock
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DATE: October 10, 2023

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DATE: October 10, 2023

*Attorneys for Defendants
GOOGLE LLC and YOUTUBE, LLC*

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served upon all parties and/or attorneys of record to the above cause herein at their respective addresses as disclosed on the pleadings on October 10, 2023, via:

_____ U.S. Mail	_____ Facsimile
<u> X </u> ECF Filing	_____ Hand Delivery
_____ E-Mail	_____ Federal Express

/s/Pamela Bright
Pamela Bright